

Montgomery County workers' comp program rife with fraud

By: [Alan Suderman](#)
Examiner Staff Writer
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(photos.com)

Montgomery County employees who have used up most of their sick leave are more likely to seek time off and extra pay through workers' compensation, a benefit that costs taxpayers \$16.5 million a year and officials say is rife with fraud.

Information from a data-driven oversight program, called CountyStat, also shows more than 400 county employees have filed three or more workers' compensation claims in the last three years, and those who filed multiple claims are more likely to have little sick leave when they report an injury.

About 14 percent of employees from departments surveyed by CountyStat had less than one week of sick leave, while almost one-fifth of workers' comp claims came from that same group. Employees with little sick leave were more likely to file workers' comp claims in every department surveyed, the report found.

"We want to make sure the claims are as honest as they can be," said CountyStat manager Chris Cihlar, explaining county efforts to find patterns in workers' comp claims.

Cihlar said he did not look at specific cases in his latest report, but a county official who is familiar with many of the cases but not authorized to speak on the record said claims are often fabricated so that employees with few sick days can take extra time off. The accidents often occur without witnesses and involve an injury that is difficult to verify.

"You can always find a doctor who will [diagnose] a soft tissue injury," the official said.

Employees who are out on a workers' compensation claim receive their full salary, as opposed to the private sector, which pays two-thirds of normal salaries. The county

awards three weeks of sick time a year, and it's not uncommon for employees to build up several months of sick leave barring a catastrophic illness.

Nearly half of all Department of Transportation transit employees who recently filed workers' compensation claims had less than 40 hours of sick leave -- the highest percentage among departments surveyed. The same group of employees, which includes bus drivers, had the highest average of days lost per injury at 12, compared with a one-day average for police officers.

The county's Office of Risk Management said in a memo the county isn't "aggressively" investigating employee accidents.

Several county officials, including the former county attorney, have said that there is a large amount of fraud in the workers' comp system and have chastised the Maryland Workers' Compensation Commission for not doing enough to deter abuse. The commission flagged only 0.06 percent of statewide claims for potential fraud during a recent four-year period.

The CountyStat report also showed that employees with little sick leave who file comp claims are also more likely to seek financial compensation for their injuries in addition to paid time off. The *Washington Examiner* first reported that some minor injuries, such as sprains and strains, can cost upward of \$48,000 per employee.

asuderman@washingtonexaminer.com